

<b>AWARD/CONTRACT</b>		<b>1. This Contract Is A Rated Order Under DPAS (15 CFR 700)</b>		<b>Rating</b> DOA5		<b>Page</b> 1 <b>Of</b> 4	
<b>2. Contract (Proc. Inst. Ident) No.</b> DAAE20-02-D-0091		<b>3. Effective Date</b> 2002MAY28		<b>4. Requisition/Purchase Request/Project No.</b> SEE SCHEDULE			
<b>5. Issued By</b> TACOM-ROCK ISLAND AMSTA-AQ-ARCC MYRNA DOWELL (309)782-4635 ROCK ISLAND IL 61299-7630  <b>e-mail address:</b> DOWELLM@RIA.ARMY.MIL		<b>Code</b> W52H09	<b>6. Administered By (If Other Than Item 5)</b> DCMA BALTIMORE 217 EAST REDWOOD ST SUITE 1800 BALTIMORE MD 21202-5299			<b>Code</b> S2101A	
<b>7. Name And Address Of Contractor (No. Street, City, County, State, And Zip Code)</b> AMERICAN TECHNOLOGY CORP 2330 N HOWARD ST BALTIMORE MD 21218-5007  TYPE BUSINESS: Small Disadvantaged Business Performing in U.S.			<b>8. Delivery</b> <input type="checkbox"/> FOB Origin <input checked="" type="checkbox"/> Other (See Below) SEE SCHEDULE				
			<b>9. Discount For Prompt Payment</b>				
			<b>10. Submit Invoices (4 Copies Unless Otherwise Specified)</b>				<b>Item</b> 12
<b>Code</b> 1DB58		<b>Facility Code</b>		<b>To The Address Shown In:</b>			
<b>11. Ship To/Mark For</b> SEE SCHEDULE		<b>Code</b>	<b>12. Payment Will Be Made By</b> DFAS COLUMBUS CENTER DFAS-CO/SOUTH ENTITLEMENT OPERATION P O BOX 182264 COLUMBUS OH 43218-2264			<b>Code</b> HQ0338	
<b>13. Authority For Using Other Than Full And Open Competition:</b> <input type="checkbox"/> 10 U.S.C. 2304(c)( ) <input type="checkbox"/> 41 U.S.C. 253(c)( )			<b>14. Accounting And Appropriation Data</b>				
<b>15A. Item No.</b> SEE SCHEDULE	<b>15B. Schedule Of Supplies/Services</b> CONTRACT TYPE: Firm-Fixed-Price		<b>15C. Quantity</b>	<b>15D. Unit</b>	<b>15E. Unit Price</b>	<b>15F. Amount</b>	
			KIND OF CONTRACT: Supply Contracts and Priced Orders				
Contract Expiration Date: 2006DEC31				<b>15G. Total Amount Of Contract</b>		\$0.00	
<b>16. Table Of Contents</b>							
(X)	Section	Description	Page(s)	(X)	Section	Description	Page(s)
Part I - The Schedule				Part II - Contract Clauses			
X	A	Solicitation/Contract Form	1		I	Contract Clauses	
X	B	Supplies or Services and Prices/Costs	3	Part III - List Of Documents, Exhibits, And Other Attachments			
	C	Description/Specs./Work Statement		X	J	List of Attachments	4
	D	Packaging and Marking		Part IV - Representations And Instructions			
	E	Inspection and Acceptance			K	Representations, Certifications, and Other Statements of Offerors	
	F	Deliveries or Performance			L	Instrs., Conds., and Notices to Offerors	
	G	Contract Administration Data			M	Evaluation Factors for Award	
	H	Special Contract Requirements					
Contracting Officer Will Complete Item 17 Or 18 As Applicable							
<b>17.</b> <input type="checkbox"/> Contractor's Negotiated Agreement (Contractor is required to sign this document and return _____ copies to issuing office.) Contractor agrees to furnish and deliver all items or perform all the services set forth or otherwise identified above and on any continuation sheets for the consideration stated herein. The rights and obligations of the parties to this contract shall be subject to and governed by the following documents: (a) this award/contract, (b) the solicitation, if any, and (c) such provisions, representations, certifications, and specifications, as are attached or incorporated by reference herein. (Attachments are listed herein.)				<b>18.</b> <input checked="" type="checkbox"/> Award (Contractor is not required to sign this document.) Your offer on Solicitation Number DAAE2002R0039 including the additions or changes made by you which additions or changes are set forth in full above, is hereby accepted as to the items listed above and on any continuation sheets. This award consummates the contract which consists of the following documents: (a) the Government's solicitation and your offer, and (b) this award/contract. No further contractual document is necessary.			
<b>19A. Name And Title Of Signer (Type Or Print)</b>				<b>20A. Name Of Contracting Officer</b> JOYCE L KLEIN KLEINJ@RIA.ARMY.MIL (309)782-5051			
<b>19B. Name of Contractor</b>  By _____ (Signature of person authorized to sign)		<b>19c. Date Signed</b>		<b>20B. United States Of America</b>  By _____ /SIGNED/ (Signature of Contracting Officer)		<b>20C. Date Signed</b> 2002MAY28	

NSN 7540-01-152-8069

PREVIOUS EDITIONS UNUSABLE

25-106

GPO : 1985 0 - 478-632

Standard Form 26 (Rev. 4-85)

Prescribed By GSA-FAR (4.8 CFR) 53.214(a)

<b>CONTINUATION SHEET</b>	<b>Reference No. of Document Being Continued</b>  <b>PIIN/SIIN</b> DAAE20-02-D-0091 <b>MOD/AMD</b>	<b>Page</b> 2 <b>of</b> 4
<b>Name of Offeror or Contractor:</b> AMERICAN TECHNOLOGY CORP		

SECTION A - SUPPLEMENTAL INFORMATION  
THIS AWARD IS ISSUED AS A 5-YEAR, LONG-TERM, FIXED PRICE INDEFINITE DELIVERY INDEFINITE QUANTITY TYPE CONTRACT FOR THE ACQUISITION OF THE FOLLOWING ITEMS:

CLIN 0001 M40/M42 UNIVERSAL SECOND SKINS, SMALL, NSN: 4240-01-413-1540  
CLIN 0002 M40/M42 UNIVERSAL SECOND SKINS, MED/LARGE, NSN: 4240-01-413-1543

FOLLOWING ARE THE DATES OF THE ORDERING PERIODS (OP) COVERED BY THIS CONTRACT:

ORDERING PERIOD (OP) 1:	DATE OF AWARD 31 DECEMBER 2002
ORDERING PERIOD (OP) 2:	01 JANUARY 2003 - 31 DECEMBER 2003
ORDERING PERIOD (OP) 3:	01 JANUARY 2004 31 DECEMBER 2004
ORDERING PERIOD (OP) 4:	01 JANUARY 2005 - 31 DECEMBER 2005
ORDERING PERIOD (OP) 5:	01 JANUARY 2006 - 31 DECEMBER 2006

FIRST ARTICLE HAS BEEN WAIVED FOR ALL CLINS ON THIS CONTRACT.

THE GUARANTEED MINIMUM QUANTITY OF 28,400 MED/LARGE IS BEING AWARDED UNDER DELIVERY ORDER 0001. THIS AWARD IN NO WAY OBLIGATES THE GOVERNMENT TO PURCHASE ANY ADDITIONAL QUANTITY UNDER THE RESULTANT CONTRACT. EACH ORDER UNDER CONTRACT DAAE20-02-D-0091 STANDS ON ITS OWN INSOFAR AS IT OBLIGATES THE GOVERNMENT.

EACH DELIVERY ORDER WILL BE ISSUED UNILATERALLY, WITH FIRM DELIVERY DATES, FOE: DESTINATION AND REFLECT THE PRICE FOR THE QUANTITY RANGE THAT APPLIES. DELIVERIES SHALL COMMENCE NOT LATER THAN 120 DAYS AFTER RECEIPT OF ORDER. MONTHLY DELIVERY RATES WILL BE APPROXIMATELY 3,000 PER MONTH FOR CLIN 0001, AND 4,000 PER MONTH FOR CLIN 0002, UNLESS OTHERWISE MUTUALLY AGREED UPON BY THE PARTIES. THE CONTRACT PROPOSAL PRICES PROVIDED UNDER SOLICITATION DAAE20-02-R-0039 ARE ATTACHED AS PAGE 2A.

AUTHORIZATION IS PROVIDED FOR USE OF GOVERNMENT FURNISHED PROPERTY ON A NON-INTERFERENCE, RENT-FREE BASIS FOR DELIVERY ORDERS ISSUED UNDER THIS CONTRACT. ACCOUNTABILITY OF THE SMALL AND MED/LARGE USA MOLDS (M01 AND M02) IS TRANSFERRED TO THIS CONTRACT FROM DATA09-94-C-0425. ACCOUNTABILITY FOR THE REMAINING LISTED ITEMS/GFP IS ALSO PLACED UNDER THIS CONTRACT.

USA SMALL (M01), MOLD - SMALL USA, SINGLE CAVITY (1)  
USA M/L (M02), MOLD - MED/LARGE USA, SINGLE CAVITY (1)  
JLIST OVER GARMENT (1)  
MASK FACEPIECE ASSEMBLIES (1)  
C2/C2A1 CANISTER (3)  
OUTSERT (1)  
HOOD, QUICK DOFF (1)  
SARATOGA OVER GARMENT (1)

ALL OTHER TERMS AND CONDITIONS OF SOLICITATION DAAE20-02-R-0039 ARE INCORPORATED INTO THIS AWARD DOCUMENT.

\*\*\* END OF NARRATIVE A 001 \*\*\*

CONTINUATION SHEET	Reference No. of Document Being Continued PIIN/SIIN DAAE20-02-D-0091 MOD/AMD	Page 3 of 4
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Name of Offeror or Contractor: AMERICAN TECHNOLOGY CORP

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	SECTION B - SUPPLIES OR SERVICES AND PRICES/COSTS  <u>Supplies or Services and Prices/Costs</u>  <u>PRODUCTION QUANTITY</u>  NOUN: UNIVERSAL SECOND SKIN - SMALL FSCM: 81361 PART NR: EA-PRF-2006 TYPE I SECURITY CLASS: Unclassified  <u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: MILITARY UNIT PACK: EA LEVEL PRESERVATION: Military LEVEL PACKING: B  <u>Inspection and Acceptance</u> INSPECTION: Origin      ACCEPTANCE: Origin		EA		
0002	<u>Supplies or Services and Prices/Costs</u>  <u>PRODUCTION QUANTITY</u>  NOUN: UNIVERSAL SECOND SKIN, MED/LG FSCM: 81361 PART NR: EA-PRF-2006, TYPE II SECURITY CLASS: Unclassified  <u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: MILITARY UNIT PACK: EA LEVEL PRESERVATION: Military LEVEL PACKING: B  <u>Inspection and Acceptance</u> INSPECTION: Origin      ACCEPTANCE: Origin		EA		
0003	<u>Supplies or Services and Prices/Costs</u>  <u>DATA ITEM</u>  NOUN: DD FORM 1423 SECURITY CLASS: Unclassified Contractor will prepare and deliver the technical data in accordance with the requirements, quantities and schedules set forth in the Contract Data Requirements Lists (dd form 1423), Exhibit A.  A DD 250 IS NOT REQUIRED.  (End of narrative B001)			\$ ** NSP **	\$ ** NSP **

CONTINUATION SHEET	Reference No. of Document Being Continued		Page 4 of 4
	PIIN/SIIN DAAE20-02-D-0091	MOD/AMD	

Name of Offeror or Contractor: AMERICAN TECHNOLOGY CORP

SECTION J - LIST OF ATTACHMENTS

List of Addenda	Title	Date	Number of Pages	Transmitted By
Attachment 001	GFP AUTHORIZATION LETTER		1PG	